

## Title 5. EDUCATION

## Division 1. State Department of Education

## Chapter 12. Compensatory Education

## Subchapter 13. Supplemental Services

**§13075. Definition of a “demonstrated record of effectiveness” for providers of supplemental services who are approved by the SBE.**

(a) For purposes of demonstrating a record of effectiveness for placement on the list of approved supplemental services providers, STAR data are required. Until such time as STAR data are available, a provider shall be deemed provisional.

(b) An application, completed per the Supplemental Educational Services Provider Request for Application (Rev. 5/2003), which is incorporated by reference, is required of each new provider in each of the first two-years of service.

(c) A provisionally-approved provider of supplemental educational services has met the definition of a demonstrated record of effectiveness when:

(1) the provider demonstrates the ability to provide effective services by meeting all the federal requirements including the following criteria:

(A) Ensure that programs offered are of high quality, research-based, and specifically designed to increase the academic achievement of eligible children on the assessment instruments required under ESEA Section 1111 (20 U.S.C. section 6316(e)(1)) and attain proficiency in meeting the State's academic achievement standards.

(B) Ensure that supplemental educational services are coordinated with the student's school program.

(C) Ensure that the instruction and content provided are aligned with state-adopted curriculum content standards and instructional materials and aligned with state and local assessments.

(D) Ensure that all instruction and content are secular, neutral, and non-ideological.

(E) Provide evidence of recent (within the past 2 years) successful experience in improving student achievement. (If the student population served by the provider is composed in part of English learners, the provider must demonstrate experience in improving the student achievement of English learners.)

- 1 (F) Meet all applicable federal, state, and local health, safety, and civil rights laws.
- 2 (G) Have knowledge of the state-adopted content standards, frameworks, and
- 3 instructional materials.
- 4 (H) Be capable of providing appropriate services to eligible students based on individual
- 5 needs consistent with the instructional program of the LEA and the state-adopted standards,
- 6 frameworks, and instructional materials.
- 7 (I) Be financially sound.
- 8 (J) Guarantee that all staff working with students and their parents undergo and pass
- 9 background checks as required by the local contracting school district.
- 10 (K) Abide by the conditions of the contract with the LEA.
- 11 (2) And, by the end of the second year of provisional approval, ninety-five percent of
- 12 eligible students receiving services have made increases in academic proficiency at a level
- 13 articulated in the supplemental educational services contract and as measured by the STAR.
- 14 NOTE: Authority cited: Section 33031, Education Code. Reference: 20 United States Code
- 15 section 6316(e)(1) and Section 12000, Education Code.

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